IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 19TH NOVEMBER 2007 / 28TH KARTHIKA 1929

Bail Appl..No. 6997 of 2007()

CMP.9296/2007 of J.M.F.C.-II,NEYYATTINKARA
CR.NO.69/07 OF AMARAVILA EXCISE RANGE

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: PETITIONER/ACCUSED

SUBHASHINI, D/O CHELLAMMA,
MALAYIKKADA AKKARAPOTTA VEEDU,
MANCHAVILAKOM, NADOORKOLLA DESOM,
KOLLAYIL VILLAGE, NEYYATTINKARA.

BY ADV. SRI.G.SUDHEER

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/11/2007 ALONG WITH CRMC.NO.7020 OF 2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.Nos.6997 & 7020 of 2007

Dated this the 19th day of November, 2007

ORDER

These applications are for regular bail by the same petitioner, a woman. She faces allegations under the Kerala Abkari Act in both crimes. She is alleged to have kept in her possession 5 litres of arrack on 17.11.2006 and 10 litres of arrack on 12.10.07. She could not be arrested on the earlier occasion. But on 12.10.07 she was arrested and she continues in custody from that date. Her arrest in the earlier crime was recorded on 23.10.07. The learned Public Prosecutor submits that the petitioner has 4 other crimes also under the Kerala Abkari Act registered against her earlier.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigator is given reasonable further time to complete the investigation and I am satisfied that the petitioner can now be directed to be released on bail subject to appropriate terms and conditions.

3. In the result, these bail applications are allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on the strength of this order prior to 29.11.2007. The Investigators shall in the meantime make every endeavour to complete the investigation;

ii) The petitioner shall execute a bond for Rs.75,000/- (Rupees Seventy five thousand only) in each case with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make herself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months from the date of her release and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-